

**REMARKS**

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority under 35 U.S.C. § 119(a)-(d), and for confirming that the certified copy of the priority document has been received at the Patent Office.

**Claim Objections:**

Claims 4-5, 9-10 and 14-15 have been objected to by the Examiner because the Examiner asserts that the term "existing" makes the claims unclear. In an effort to address the Examiner's concerns Applicant has amended the claims as shown in the attached Appendix.

Applicant submits that the amendments to the above claims adequately address the Examiner's concerns and hereby requests the Examiner reconsider and withdraw the above objection of these claims.

Further, Applicant notes that the above referenced claim amendments have been made to merely clarify the claimed invention, and are not intended to narrow the scope or spirit of the original claims in any way.

**Claim Amendment:**

With regard to claim 1, Applicant has amended this claim as shown in the attached Appendix. Applicant submits that amendments to claim 1 have been made to merely clarify the claimed invention, and are not intended to narrow the scope or spirit of the original claim in any way.

**Claim Rejections:**

Claims 1-15 are all of the claims pending in the present application, and currently claims 1-3, 6-8 and 11-13 stand rejected.

***35 U.S.C. § 102(e) Rejection - Claims 1-2, 6-7 and 11-12:***

Claims 1-2, 6-7 and 11-12 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,330,628 to Motoyama. With regard to this rejection, Applicant has the following comments.

Applicant notes that Motoyama is directed to a system which is capable of using identifiers (such as model numbers) to determine the type of communication protocol to be used to communicate with different models and types of devices. As shown in Figure 1, a plurality of devices (items 2 through 20) are coupled to a communication interface 24, which is in turn coupled to a control/diagnostic system 26. Each of the devices (2 - 20) can use different communication protocols (such as binary language, etc.). The control/diagnostic system 26 contains a communication protocol database 28 which stores data on how each of the devices (2 to 20) communicate and what language or protocol they use. Therefore, when data is sent from, or to, each of the devices, the system can properly communicate with each of the devices, even though they may use different communication protocols.

Specific examples of how this system functions can be found at col. 8, lines 26-48.

However, in view of this disclosure Applicant submits that Motoyama is not relevant to the present invention. Specifically, Applicant notes that there is no disclosure regarding "presetting image data processing contents considering processing operation characteristics of the image data acquisition means," as set forth in claim 1, and as intended by the present invention. *See also* claims 6 and 11. Applicant submits that there is no disclosure whatever of presetting image data processing contents, as described and set forth in the present application.

Additionally, Applicant submits that the Examiner appears to be interpreting the term “characteristics” broader than what is intended by the present application to capture “communication protocol” information.

Stated differently, Applicant submits that “characteristics” referred to in the present application corresponds to characteristics of the image data, such as sharpness, contrast, color quality, etc. Applicant notes that this is not disclosed, in any way, within Motoyama.

Additionally, Applicant notes that the Examiner is asserting that sending image data via a communication protocol is “processing” the image data. Applicant disagrees with this analysis and submits that the term “processing” invokes more than simply transmitting the data, and there is no such “processing” in Motoyama.

In view of the foregoing, Applicant submits that Motoyama fails to disclose each and every feature of the present invention as set forth in claims 1, 6 and 11 and, as such, fails to anticipate the present invention. Therefore, Applicant hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 102(e) rejection of these claims. Further, as claims 2, 7 and 12 depend on these claims, respectively, Applicant submits that these claims are also allowable, at least by reason of their dependence.

***35 U.S.C. § 103(a) Rejection - Claims 3, 8 and 13:***

Claims 3, 8 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Motoyama in view of U.S. Patent No. 6,115,104 to Nakatsuka.

As an initial matter, Applicant notes that since claims 3, 8 and 13 depend on claims 1, 6 and 11, respectively, and because Nakatsuka fails to cure the deficient teachings of Motoyama, Applicant submits that these claims are also allowable, at least by reason of their dependence.

However, additionally and independently, Applicant notes that Nakatsuka discloses using “input characteristic information” of image input devices (for example item 40) stored in a disk drive 34, where this information is used in a printing process. The data can be stored based by model number of the device, etc. and can include resolution, magnification, MTF characteristics, noise characteristics, tone and color characteristics. *See* Nakatsuka, col. 9, lines 50-65. However, unlike the present invention, this information is used in conjunction with input from a user who selects options such as “SHARP” or “STEREOSCOPIC” prior to the data being printed. Once this user input is selected, an image approximating unit 74 uses all of the stored image data and processes the image. *See id.* at col. 9, lines 7-45.

The Examiner asserts that it would have been obvious to incorporate the use of the image adjustment features of Nakatsuka within Motoyama to attain an image of finer quality. However, Applicant notes that there is no suggestion within the references of making this combination. Specifically, Motoyama is directed to communication protocols, and makes no reference to image data processing. Further, there is no evidence that the system within Motoyama would be able to function with the user interface attributes of Nakatsuka.

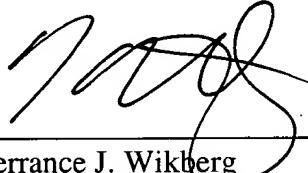
In view of the foregoing, Applicant submits that the Examiner has failed to establish a *prima facie* case of obviousness with respect to the above claims, and hereby requests the Examiner reconsider and withdraw the above 35 U.S.C. § 103(a) rejection of these claims.

**Conclusion:**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



\_\_\_\_\_  
Terrance J. Wikberg  
Registration No. 47,177

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE



23373

PATENT TRADEMARK OFFICE

Date: July 9, 2003

**APPENDIX**  
**VERSION WITH MARKINGS TO SHOW CHANGES MADE**

**IN THE CLAIMS:**

**The claims are amended as follows:**

1. (Amended) An image data processing method for making it possible to read image data acquired by different types of image data acquisition means and processing the read image data so as to provide an optimum output result, said image data processing method comprising the steps of:

presetting image data processing contents by considering processing operation characteristics of the image data acquisition means, where the different types of image data acquisition means are assigned identification information for identifying said different types of data acquisition means assigned the identification information in response to identification information assigned for identifying the different types of image data acquisition means;

reading the image data provided by one image data acquisition means as image data to be processed;

determining which image data acquisition means the image data to be processed is acquired by according to the identification information;

selecting the image data processing contents corresponding to the determination result in response thereto; and

processing the image data to be processed so as to provide the optimum output result in accordance with the selected image data processing contents.

4. (Amended) The image data processing method as claimed in claim 3, wherein the image data to be processed is image data on a record medium recording the image data acquired by the image data acquisition means, and

wherein the identification information is information ~~existing together~~ with the image data recorded on the record medium.

5. (Amended) The image data processing method as claimed in claim 3, wherein the image data to be processed is image data transferred through communication means from the image data acquisition means, and

wherein the identification information is information ~~existing together~~ with the image data transferred through the communication means.

9. (Amended) The image data print apparatus as claimed in claim 8, wherein the image data to be processed, read by said image data read section is image data on a record medium recording the image data acquired by the image data acquisition means, and

wherein the identification information is information ~~existing together~~ with the image data on the record medium.

10. (Amended) The image data print apparatus as claimed in claim 8, wherein the image data to be processed, read by said image data read section is image data transferred through communication means from the image data acquisition means, and  
\_\_\_\_\_ wherein the identification information is information ~~existing together~~ with the image data transferred through the communication means.

14. (Amended) The record medium recording the image data processing program as claimed in claim 13, wherein the image data to be processed is image data on a record medium recording the image data acquired by the image data acquisition means, and  
wherein the identification information is information ~~existing together~~ with the image data recorded on the record medium.

15. (Amended) The record medium recording the image data processing program as claimed in claim 13, wherein the image data to be processed is image data transferred through communication means from the image data acquisition means, and  
wherein the identification information is information ~~existing together~~ with the image data transferred through the communication means.